

22783 U.S. PTO
020304

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Attorney Docket **P1857R1P1**
PATENT

EV351926366US : Express Mail Number

February 3, 2004: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22387 U.S. PTO
10/771254



NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Heather Flores, Hayward, CA
Tanya P. Lin, Berkeley, CA
Timothy C. Matthews, Millbrae, CA
Roger Pai, Los Altos, CA
Zahra Shahrokh, Weston, MA

Title: **APO-2 LIGAND/TRAIL FORMULATIONS**

1. Type of Application

- [] This application is for an original, non-provisional application.
- [] This is a non-provisional application claiming priority to provisional application no. __, filed __, the entire disclosure of which is hereby incorporated by reference.
- [X] This is a [X] continuation-in-part [] continuation [] divisional application claiming priority to International Application Number PCT/US02/36251, filed November 12, 2002, the entire disclosure of which is hereby incorporated by reference.

2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional)

70 pages of specification
7 pages of claims
1 page of abstract
23 sheets of drawings
☐ formal ☒ informal

3. Declaration or Oath

(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)
X An executed declaration of the inventor(s) ☐ is enclosed ☒ will follow.

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

___ A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

(for Cont./Div. where inventor(s) being deleted)

___ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. Assignment

(for new and CIP applications)

 X An Assignment of the invention to GENENTECH, INC. [] is enclosed with attached Recordation Form Cover Sheet [X] will follow.

(for cont./div.)

___ The prior application is assigned of record to Genentech, Inc.

5. Amendments (for continuation and divisional applications)

___ Cancel in this application original claims __ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

___ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

6. Fee Calculation (37 CFR 1.16)

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$770.00
Total Claims	79	- 20 =	59	X \$18.00	\$1,062.00
Independent Claims	7	- 3 =	4	X \$86.00	\$344.00
<u>X</u> Multiple dependent claim(s), if any				+ \$290.00	\$290.00
Filing Fee Calculation					\$2,122.00

7. Method of Payment of Fees

X The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$2,122.00. **A duplicate copy of this transmittal is enclosed.**

8. Authorization to Charge Additional Fees

X The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

9. Correspondence Address:

X Address all future communications to:

Attn: Diane L. Marschang
Customer No: 09157

Respectfully submitted,
GENENTECH, INC.

Date: February 3, 2004

By:

Diane L. Marschang
Diane L. Marschang

Reg. No. 35,600

Telephone No. (650) 225-5416

CUSTOMER NO: 09157